

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1001 be amended to read as follows:

- 1 Page 607, between lines 1 and 2, begin a new paragraph and insert:
2 "SECTION 699. IC 36-6-6-13.5 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE UPON PASSAGE]: **Sec. 13.5. (a) A special meeting**
5 **may be held by the legislative body if the executive, the chairman**
6 **of the legislative body, or a majority of the members of the**
7 **legislative body issue a written notice of the meeting to each**
8 **member of the legislative body. The notice must state the time,**
9 **place, and purpose of the meeting.**
10 **(b) The legislative body may consider any matter at a special**
11 **meeting. However, the only matters that may be acted on at the**
12 **special meeting are the matters set forth in the notice.**
13 SECTION 700. IC 36-6-6-14 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) ~~A special~~
15 meeting may be held by the legislative body if the executive, the
16 chairman of the legislative body, or a majority of the members of the
17 legislative body issue a written notice of the meeting to each member
18 of the legislative body. The notice must state the time, place, and
19 purpose of the meeting.
20 ~~(b)~~ **(b)** At ~~the~~ **any** special meeting, if two (2) or more members give
21 their consent, the legislative body may determine whether there is ~~an~~
22 **a need for fire and emergency services or another** emergency
23 requiring the expenditure of money not included in the township's
24 budget estimates and levy.
25 **(b)** Subject to section 14.5 of this chapter, if the legislative body
26 finds that ~~such an~~ **a need for fire and emergency services or another**
27 emergency exists, it may issue a special order, entered and signed on
28 the record, authorizing the executive to borrow a specified amount of
29 money sufficient to meet the emergency.
30 **(c)** Notwithstanding IC 36-8-13-4(a), the legislative body may
31 authorize the executive to borrow a specified sum from a township

fund other than the township firefighting fund if the legislative body finds that the emergency requiring the expenditure of money is related to paying the operating expenses of a township fire department or a volunteer fire department. At its next annual session, the legislative body shall cover the debt created by making a levy to the credit of the fund for which the amount was borrowed under this subsection.

(d) In determining whether a fire and emergency services need exists requiring the expenditure of money not included in the township's budget estimates and levy, the legislative body and any reviewing authority considering the approval of the additional borrowing shall consider the following factors:

(1) The current and projected certified and noncertified public safety payroll needs of the township.

(2) The current and projected need for fire and emergency services within the jurisdiction served by the township.

(3) Any applicable national standards or recommendations for the provision of fire protection and emergency services.

(4) Current and projected growth in the number of residents and other citizens served by the township, emergency service runs, certified and noncertified personnel, and other appropriate measures of public safety needs in the jurisdiction served by the township.

(5) Salary comparisons for certified and noncertified public safety personnel in the township and other surrounding or comparable jurisdictions.

(6) Prior annual expenditures for fire and emergency services, including all amounts budgeted under this chapter.

(7) Current and projected growth in the assessed value of property requiring protection in the jurisdiction served by the township.

(8) Other factors directly related to the provision of public safety within the jurisdiction served by the township.

(e) If the township received additional funds under this chapter in the immediately preceding budget year for an approved expenditure, any reviewing authority shall take into consideration the use of the fund in the immediately preceding budget year and the continued need for funding the services and operations to be funded with the proceeds of the loan.

SECTION 701. IC 36-6-6-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) If the legislative body finds that an emergency requires the borrowing of money to meet the township's current expenses, it may take out temporary loans in an amount not more than ~~fifty eight~~ **fifty eight** percent ~~(50%)~~ **(80%)** of the total anticipated revenue for the remainder of the year in which the loans are taken out.

(b) The legislative body must authorize the temporary loans by a resolution:

- 1 (1) stating the nature of the consideration for the loans;
 - 2 (2) stating the time the loans are payable;
 - 3 (3) stating the place the loans are payable;
 - 4 (4) stating a rate of interest;
 - 5 (5) stating the anticipated revenues on which the loans are based
 - 6 and out of which they are payable; and
 - 7 (6) appropriating a sufficient amount of the anticipated revenues
 - 8 on which the loans are based and out of which they are payable
 - 9 for the payment of the loans.
 - 10 (c) The loans must be evidenced by time warrants of the township
 - 11 stating:
 - 12 (1) the nature of the consideration;
 - 13 (2) the time payable;
 - 14 (3) the place payable; and
 - 15 (4) the anticipated revenues on which they are based and out of
 - 16 which they are payable."
 - 17 Renumber all SECTIONS consecutively.
- (Reference is to EHB 1001 as printed February 20, 2008.)

Senator MERRITT